



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/642,587 Confirmation No. 2933  
Applicant: Samuel Bogoch, et al.  
Filed: August 19, 2003  
Group Art Unit: 1642  
Examiner: Unassigned  
Docket No.: 9425/468031  
Customer No.: 23838  
For: AGLYCO PRODUCTS AND METHODS OF USE

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required. The references were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
U.S. Application Serial No. 10/642,587

It is believed that no fees are due, but authorization is hereby given to charge any fees, or to credit any overpayment, to deposit account 11-0600.

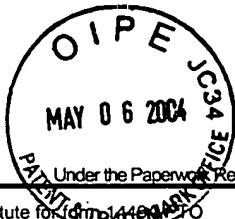
Respectfully submitted,

KENYON & KENYON

Date: 5/6/04

  
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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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~~Substitute for form p1449-A-FO~~

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

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of 12

**Complete if Known**

<i>Application Number</i>	10/642,587
<i>Filing Date</i>	August 19, 2003
<i>First Named Inventor</i>	Samuel BOGOCH, et al.
<i>Art Unit</i>	1642
<i>Examiner Name</i>	Unassigned
<i>Attorney Docket Number</i>	9425/468031

## U.S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

2

of

2

**Complete if Known**

<i>Application Number</i>	10/642,587
<i>Filing Date</i>	August 19, 2003
<i>First Named Inventor</i>	Samuel Bogoch, et al.
<i>Art Unit</i>	1642
<i>Examiner Name</i>	Unassigned

Attorney Docket Number 9425/468031

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Bogoch S., et al., "Aglyco Pathology of Viral Receptors in Dementias", Annals of the New York Academy of Sciences, 757:413-417 (1995)	
		Abrams, M.B., et al., "Early Detection and Monitoring of Cancer with the Anti-Malignin Antibody Test", Cancer Detection and Prevention, 18(1):65-78 (1994)	
		Kornblith P.L., et al., "Growth-inhibitory effect of diphenylhydantoin on murine astrocytomas", Medline, XP-002199627 (Abstract)	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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European Patent  
Office

## SUPPLEMENTARY PARTIAL EUROPEAN SEARCH REPORT

Application Number

which under Rule 45 of the European Patent Convention EP 99 94 4002  
shall be considered, for the purposes of subsequent  
proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	WO 96/32106 A (BOGOCH SAMUEL ; BOGOCH ELENORE S (US)) 17 October 1996 (1996-10-17) * see the whole document * ---	1-23	C07K14/47 A61K38/17 A61K31/70 A61K38/10 A61K39/395
X	BOGOCH S ET AL: "AGLYCO PATHOLOGY OF VIRAL RECEPTORS IN DEMENTIAS" ANNALS OF THE NEW YORK ACADEMY OF SCIENCES, NEW YORK ACADEMY OF SCIENCES, NEW YORK, NY, US, vol. 757, 1995, pages 413-417, XP008003395 ISSN: 0077-8923 * see page 413 and figures 1-2 *	1-5, 14, 29-31	A61K31/7008 A61K31/415 C12N15/00 A61P35/00 A61P31/16 A61P25/18 G01N33/574
X	ABRAMS M B ET AL: "EARLY DETECTION AND MONITORING OF CANCER WITH THE ANTI-MALIGNIN ANTIBODY TEST" CANCER DETECTION AND PREVENTION, XX, XX, vol. 18, no. 1, 1994, pages 65-78, XP000673180 ISSN: 0361-090X * see abstract *	12-14, 18-20, 23, 24 ---	
		-/-	TECHNICAL FIELDS SEARCHED (Int.Cl.7) A61K A61P C07K C12N G01N
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
<b>INCOMPLETE SEARCH</b>			
The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims:			
Claims searched completely :			
Claims searched incompletely :			
Claims not searched :			
Reason for the limitation of the search:			
see sheet C			
1	Place of search MUNICH	Date of completion of the search 20 April 2004	Examiner Merckling-Ruiz, V
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			
T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			



European Patent  
Office

SUPPLEMENTARY  
PARTIAL EUROPEAN SEARCH REPORT

Application Number

EP 99 94 4002

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
X	KORNBLITH P L ET AL: "Growth-inhibitory effect of diphenylhydantoin on murine astrocytomas" MEDLINE, XP002199627 * see abstract *	21,22	
TECHNICAL FIELDS SEARCHED (Int.Cl.7)			



Although claims 28 and 31 are directed to a diagnostic method practised on the human/animal body (Article 52(4) EPC), the search has been carried out and based on the alleged effects of the compound.  
Although claims 6-11, 16-17, 21-22 and 29-30 are directed to a method of treatment of the human/animal body (Article 52(4) EPC), the search has been carried out and based on the alleged effects of the compound.

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Claim(s) searched completely:  
2-5,7-31

Claim(s) searched incompletely:  
1,6

Reason for the limitation of the search:

Present claims 1 and 6 relate to an extremely large number of possible compounds. Support within the meaning of Article 84 EPC and/or disclosure within the meaning of Article 83 EPC is to be found, however, for only a very small proportion of the compounds claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the glycoconjugats Aglyco 10B (malignin) and fragments thereof, as defined in example 10 and sequences No. 1 and 2 of the application.